

applied to said strut, and a channel formed in at least one of said struts, said channel having a closed perimeter on all sides and an open top, and said channel smaller in all dimensions than said strut, said channel containing a reservoir of a therapeutic agent applied therein.

REMARKS

Claims 4-7, 9 and 11 are allowed with appreciation.

Claim 12 was rejected under 35 USC §102(e) using Yan, U.S. Patent No. 5,843,172 ("Yan") or Leone et al., U.S. Patent No. 5,891,108 ("Leone"). With this amendment, this rejection is traversed.

Yan simply does not apply. The micropores created in Yan cannot be considered *channels* capable of holding a reservoir full of a therapeutic agent. Rather, these pores are formed from a porous metal capable of absorbing the drug. Yan neither discloses or renders obvious the device of claim 12.

Leone is a stent with a hollow strut, which elutes the drug through its center. Leone does not have generally solid struts, so 35 USC §102 does not apply. As for 35 USC §103, Leone chooses to resolve a method of eluting drugs by inserting them through the center of the stent. The present